

Applicants: Heribert LORENZ et al.  
Application No. 10/730,469  
Amendment in Response to Office Action dated May 19, 2005

#### REMARKS

Applicants respectfully requests reconsideration and allowance of this application in view of the amendments above and the following comments.

Claim 1 is pending. Claim 2 has been canceled. Claim 1 has been amended to add the term "optionally". It is supported by page 2, lines 16-21 of the instant specification. Changes that have been made to the claims are presented above using underlining. It is believed that no new matter has been added.

#### Obviousness-type Double Patenting Rejection

The Examiner rejected claims 1-2 for obviousness-type double patenting in view of application no. 10/465,278. In response, a terminal disclaimer is submitted over the cited application in a separate paper.

In view of the foregoing, Applicants submit that the Examiner would be fully justified to reconsider and to withdraw this rejection. An early notice that this rejection has been reconsidered and withdrawn is, therefore, earnestly solicited.

#### Rejections under 35 U.S.C. 103

The Examiner rejected claim 2 under 35 U.S.C. 103(a) as being obvious over Andousset (U.S. Patent No. 5,578,087) in view of Andousset (U.S. Patent No.

Applicants: Heribert LORENZ et al.  
Application No. 10/730,469  
Amendment in Response to Office Action dated May 19, 2005

6.004,356). Claim 2 has been canceled thereby making this rejection moot.

In view of the foregoing, Applicants submits that the Examiner would be fully justified to reconsider and to withdraw this rejection. An early notice that this rejection has been reconsidered and withdrawn is, therefore, earnestly solicited.

#### Conclusion

Applicants believe that the foregoing constitutes a bona fide response to all outstanding objections and rejections.

Applicants also believe that this application is in condition for immediate allowance. However, should any issue(s) of a minor nature remain, the Examiner is respectfully requested to telephone the undersigned at telephone number (212) 808-0700 so that the issue(s) might be promptly resolved.

Early and favorable action is earnestly solicited.

#### CONDITIONAL PETITION FOR EXTENSION OF TIME

If entry and consideration of the amendments above requires an extension of time, Applicants respectfully request that this be considered a petition therefor. The Commissioner is authorized to charge any fee(s) due in this connection to Deposit Account No. 14-1263.


Applicants: Heribert LORENZ et al.  
Application No. 10/730,469  
Amendment in Response to Office Action dated May 19, 2005

ADDITIONAL FEE

Please charge any insufficiency of fees, or credit any excess, to Deposit Account  
No. 14-1263.

Respectfully submitted,

NORRIS MCLAUGHLIN & MARCUS, P.A.

By   
David D. Kim  
Agent for Applicants  
Reg. No. 53,123  
875 Third Avenue, 18<sup>th</sup> Floor  
New York, NY 10022